UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

ROBERT L. SCHMIDT, and STACY S. SCHMIDT,)
Plaintiffs,)
V.) No. 3:06-CV-209) (Phillips)
NATIONAL CITY CORPORATION, and LITTON LOAN SERVICING LP,)
Defendants.)

JUDGMENT ON DECISION BY THE COURT

This case came before the court on the motions to dismiss and for summary judgment by the parties. The Honorable Thomas W. Phillips, United States District Judge, having rendered a decision on the motions,

IT IS ORDERED AND ADJUDGED that the plaintiffs' motions for summary judgment are **DENIED**; the motions to dismiss and/or for summary judgment filed by the William and Julie Allender are **GRANTED**, whereby the Allenders are dismissed from this action; the motions to dismiss and/or for summary judgment filed by Randall Mercks are **GRANTED**, whereby Mercks is dismissed from this action; the motion for summary judgment filed by C-BASS, Deutsche Bank, Litton Loan, and National City is **GRANTED**, whereby all claims of plaintiffs against the defendants are **DENIED**, and defendant Deutsche Bank is **GRANTED** judgment on its counterclaim against plaintiffs in the amount of \$149,653.00.

Dated at Knoxville, Tenness	ee, this	day of December, 2008.
_		ricia L. McNutt